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**Inspection Report**

<b>Provider Name:</b> ABC Daycare	<b>Provider Information</b>	<b>CLR No:</b> L355687
<b>Provider Address:</b> 415 West Spring Street, Irvington, KY, 40146	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 36
<b>Owner(s):</b> Abc Daycare Inc.		<b>Director(s):</b> Hodge, Subrena

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 306264
<b>Date Initiated:</b> 03/03/2021 10:15 AM	<b>Date Concluded:</b> 03/03/2021 1:20 PM	
	<b>No. of Children Present:</b> 5	

Inspection Report	
<b>Background Checks</b>	<b>Not In Compliance</b>
<b>10 - Submit background check</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:280 - Section 4. Procedures and Payments.</b></p> <p>(1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall:</p> <p>(a) Request that the prospective child care staff member provide a copy of his or her driver's license or other government-issued photo identification and verify that the photograph clearly matches the prospective child care staff member;</p> <p>(b) Request that the prospective child care staff member complete and sign the:</p> <ol style="list-style-type: none"> <li>DCC-500, Applicant Child Care Staff Member Waiver Agreement and Statement; and</li> <li>DCC-501, Disclosures to Be Provided to and Signed by the Applicant Child Care Staff Member; and</li> </ol> <p>(c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the:</p> <ol style="list-style-type: none"> <li>Child abuse and neglect central registry pursuant to 922 KAR 1:470;</li> <li>National Crime Information Center's National Sex Offender Registry in accordance with 34 U.S.C. 20921; and</li> <li>Sex Offender Registry established in accordance with KRS 17.500 through 17.580.</li> </ol>	
<b>Findings:</b>	
General: Based on review of documentation, a caregiver hired on 1/27/20, did not initiated the process to obtain background checks through the NBCP.	
<b>Supervision</b>	<b>In Compliance</b>
<b>Staffing Requirements</b>	<b>In Compliance</b>
<b>General Administration</b>	<b>Not In Compliance</b>
<b>155 - Liability Insurance</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:090. Section 6. License Issuance.</b></p> <p>(8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:</p> <p>(d) Provide written proof of liability insurance coverage of at least \$100,000 per occurrence;</p>	
<b>Findings:</b>	
General: Based on review of documentation, the center's liability insurance was not available for review.	

**180 - Plan of Correction/15 days**

**Not In Compliance**

**922 KAR 2:090. Section 15. Statement of Deficiency and Corrective Action Plans.**

**(2) Except for a violation posing an immediate threat as handled in accordance with KRS 199.896(5)(c), a child-care center shall submit a written corrective action plan to the cabinet or its designee within fifteen (15) calendar days of the date of the statement of deficiency to eliminate or correct the regulatory violation.**

**Findings:**

A PLAN OF CORRECTION WAS DUE ON 04/30/2021 AND AS OF 05/11/2021, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.

**210 - Licensee Responsibility**

**Not In Compliance**

**922 KAR 2:090. Section 8. General.**

**(1) A licensee shall:**

- (a) Be responsible for the operation of the child-care center pursuant to this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280; and**
- (b) Protect and assure the health, safety, and comfort of each child.**

**Findings:**

General: Based on observation, two (2) electrical outlets were not covered in room #5. An electrical outlet cover plate hung from the wall and exposed wiring in room #5.

**Director Requirements**

**Not In Compliance**

**340 - Staff Meeting**

**Not In Compliance**

**922 KAR 2:090. Section 10. Director Requirements and Responsibilities.**

**(1) A director shall:**

- (i) Conduct, manage, and document in writing recurring staff meetings;**

**Findings:**

General: Based on review of documentation, there was no documented staff meetings available for review.

**Employee Records**

**Not In Compliance**

**385 - Personnel File**

**Not In Compliance**

**922 KAR 2:090. Section 9. Records.**

**(1) A child-care center shall maintain:**

**(e) A current personnel file for each child-care center staff person to include:**

- 1. Name, address, date of birth, and date of employment;**
- 2. Proof of educational qualifications;**
- 3. Record of annual performance evaluation;**
- 4. Documentation of compliance with tuberculosis screening in accordance with Section 11(1)(b) of this administrative regulation; and**
- 5. The results of background checks conducted in accordance with 922 KAR 2:280;**

**Findings:**

General: Based on review of documentation, a caregiver hired on 1/6/19, did not maintain a personnel file.

**390 - Educational Requirements**

**Not In Compliance**

**922 KAR 2:090. Section 11. Staff Requirements.**

**(1) Child-care center staff:**

**(a) Hired after January 1, 2009, who have supervisory power over a minor and are not enrolled in secondary education, shall have a:**

- 1. High school diploma;**
- 2. GED or qualifying documentation from a comparable educational entity; or**
- 3. Commonwealth Child Care Credential as described in 922 KAR 2:250;**

**Findings:**

General: Based on review of documentation, two (2) caregivers hired on 7/13/20 and 1/27/20, did not have education verification on file.

**400 - CPR/First Aid Coverage**

**Not In Compliance**

**922 KAR 2:090. Section 11. Staff Requirements.**

**(3) For a child-care center licensed for infant, toddler, or preschool-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:**

- (a) Infant and child cardiopulmonary resuscitation; and**
- (b) Infant and child first aid.**

**(4) For a child-care center licensed for school-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:**

- (a) Adult cardiopulmonary resuscitation; and**
- (b) First aid.**

**(5) Cardiopulmonary resuscitation (CPR) and first aid training shall be in addition to the fifteen (15) clock hours requirement in subsection (16) of this section.**

**Findings:**

General: Based on review of documentation, there was no staff member present who was certified in first aid and CPR during the hours of operation.

**420 - Program of Activities Followed**

**Not In Compliance**

**922 KAR 2:120. Section 2. Child Care Services.**

- (4) The child-care center shall provide a daily planned program:**
- (a) Posted in writing in a conspicuous location with each age group and followed;**
  - (b) Of activities that are individualized and developmentally appropriate for each child served;**
  - (c) That provides experience to promote the individual child's physical, emotional, social, and intellectual growth and well-being; and**
  - (d) Unless the child-care center is a before- or after-school program that operates part day or less, that offers a variety of creative activities including:**
    - 1. Art or music;**
    - 2. Math or numbers;**
    - 3. Dramatic play;**
    - 4. Stories and books;**
    - 5. Science or nature;**
    - 6. Block building or stacking;**
    - 7. Tactile or sensory activity;**
    - 8. Multi-cultural exposure;**
    - 9. Indoor or outdoor play in which a child makes use of both small and large muscles;**
    - 10. A balance of active and quiet play, including group and individual activity;**
    - 11. An opportunity for a child to:**
      - a. Have some free choice of activities;**
      - b. If desired, play apart from the group at times;**

**Findings:**

General: Based on observation, a daily planned program of activities was not posted in rooms #1, #4, and #2.

**480 - Infant/Toddler Combined with Older Children**

**Not In Compliance**

**922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.**

- (2) Except in accordance with subsection (3) of this section or Section 2(2)(c) of this administrative regulation, an infant or toddler under twenty-four (24) months of age shall not participate in an activity with an older child for no more than one (1) hour per day.**
- (3) If a toddler is developmentally appropriate for a transition to a preschool age group, a toddler may participate in an activity with an older child for more than one (1) hour per day if:**
  - (a) Space for the toddler is available in the preschool-age group;**
  - (b) The staff-to-child ratios and group sizes are maintained based on the age of the youngest child;**
  - (c) The center has a procedure for listing a transitioning toddler on attendance records, including a specific day and time the toddler is with either age group; and**
  - (d) The child care center has obtained the signature and approval of the toddler's parent on the toddler's transition plan.**

**Findings:**

General: Based on observation, a six-month-old infant was combined with older children from 10:15 a.m. to 1:20 p.m. in room #1.

**685 - Diaper Changing Area/Surface**

**Not In Compliance**

**922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.**

- (10) When a child is diapered, the child shall:**
- (b) Be placed on a surface that is:**
  - 1. Clean;**
  - 2. Padded;**
  - 3. Free of holes, rips, tears, or other damage;**
  - 4. Nonabsorbent;**
  - 5. Easily cleaned; and**
  - 6. Free of any items not used for diaper changing.**

**Findings:**

General: Based on observation, small tears were in the diaper changing pad in room #4.

**Inspection Report**

**First Aid/Medication**

**Not In Compliance**

**730 - Medication**

**Not In Compliance**

**922 KAR 2:120. Section 7. First Aid and Medicine.**

**(6) Medication, including refrigerated medication, shall be:**

- (a) Stored in a separate and locked place, out of the reach of a child unless the medication is:**
    - 1. A first aid supply and is maintained in accordance with subsection (1) of this section;**
    - 2. Diaper cream, sunscreen, or toothpaste. Diaper cream, sunscreen, or toothpaste shall be inaccessible to a child;**
    - 3. An epinephrine auto-injector. A licensed child-care center shall comply with KRS 199.8951 and 311.646, including:**
      - a. An epinephrine auto-injector shall be inaccessible to a child;**
      - b. A child-care center shall have at least one (1) person onsite who has received training on the administration of an epinephrine auto-injector if the child-care center maintains an epinephrine auto-injector;**
      - c. A child-care center shall seek emergency medical care for a child if an auto-injector is administered to the child; and**
      - d. A child-care center shall report to the child's parent and the cabinet in accordance with 922 KAR 2:090, Section 12(1)(b) if an epinephrine auto-injector is administered to a child; or**
    - 4. An emergency or rescue medication for a child in care, such as medication to respond to diabetic or asthmatic condition, as prescribed by the child's physician. Emergency or rescue medication shall be inaccessible to a child in care;**
  - (b) Kept in the original bottle; and**
  - (c) Properly labeled.**
- (7) Medication shall not be given to a child if the medication's expiration date has passed.**

**Findings:**

General: Based on observation, a bottle of Parent's Choice Gripe Water and a bottle of Kroger Children's Ibuprofen were not labeled to indicate to whom they each belonged to in the first aid box on top of the refrigerator in the kitchen.

**Outdoor Play Area**

**Not In Compliance**

**755 - Protective Surface**

**Not In Compliance**

**922 KAR 2:120. Section 4. Premises Requirements.**

**(21) A protective surface shall:**

- (a) Be provided for outdoor play equipment used to:**
  - 1. Climb;**
  - 2. Swing; and**
  - 3. Slide; and**
- (b) Have a fall zone equal to the height of the equipment.**

**Findings:**

General: Based on observation, a large Little Tikes apparatus with a slide and a large wooden climbing apparatus were placed on dirt and sparse mulch in the older children's outdoor play area. A green dinosaur and a purple dinosaur climbing apparatus, a basketball slide, and a panda climber were placed on dirt and sparse mulch in the younger children's outdoor play area.

**Equipment**

**Not In Compliance**

**820 - Indoor/Outdoor Equipment**

**Not In Compliance**

**922 KAR 2:120. Section 11. Toys and Furnishings.**

**(2) Indoor and outdoor equipment shall:**

- (a) Be clean, safe, and in good repair;**
- (b) Meet the physical, developmental needs, and interests of children of different age groups;**
- (c) Be free from sharp points or corners, splinters, protruding nails or bolts, loose or rusty parts, hazardous small parts, lead-based paint, poisonous material, and flaking or chalking paint; and**
- (d) Be designed to guard against entrapment or situations that may cause strangulation.**

**Findings:**

General: Based on observation, the edges of a blue, circled area rug were unraveled in room #2. The center's front door had peeled plaster and the door closer cylinder was off the hinge. A gray and black dried flaky substance was on the top blue portion of a large Little Tikes play apparatus in the older children's outdoor play area.

**Transportation**

**Not Applicable**

**Food Service/Food Program**

**In Compliance**

**Food Service**

**Not In Compliance**

**1015 - Food Service Permit**

**Not In Compliance**

**922 KAR 2:120. Section 8. Kitchen Requirements.**

**(2) A child-care center required to have a food service permit shall be in compliance with 902 KAR 45:005 and this administrative regulation.**

**Findings:**

General: Based on review of documentation, the center's food service permit on file expired on 12/31/20.

**1130 - Menu**

**Not In Compliance**

**922 KAR 2:120. Section 9. Food and Meal Requirements.**

**(16) A weekly menu shall be:**

- (a) Prepared;**
- (b) Dated;**
- (c) Posted in advance in a conspicuous place;**
- (d) Kept on file for thirty (30) days; and**
- (e) Amended in writing with any substitutions on the day the meal is served.**

**Findings:**

General: Based on review of documentation, the posted menu was dated 10/5/20 to 10/9/20.

**Children's Records**

**Not In Compliance**

**1135 - Immunization**

**Not In Compliance**

**922 KAR 2:090. Section 9. Records.**

**(1) A child-care center shall maintain:**

**(a) A current immunization certificate for each child in care within thirty (30) days of the child's enrollment, unless an attending physician or the child's parent objects to the immunization of the child pursuant to KRS 214.036;**

**Findings:**

General: Based on review of documentation, two (2) children both enrolled on 2/1/21, did not have an immunization certificate on file. A child enrolled on 8/6/18, had an immunization certificate on file that was valid until 12/6/20. A child enrolled on 9/1/20, had a shot record on file without a validity date.

**1140 - Enrollment Information**

**Not In Compliance**

**922 KAR 2:090. Section 9. Records.**

**(1) A child-care center shall maintain:**

**(b) A written record for each child:**

- 1. Completed and signed by the child's parent;**
- 2. Retained on file on the first day the child attends the child-care center; and**
- 3. To contain:**
  - a. Identifying information about the child, which includes, at a minimum, the child's name, address, and date of birth;**
  - b. Contact information to enable a person in charge to contact the child's:**
    - (i) Parent at the parent's home or place of employment;**
    - (ii) Family physician; and**
    - (iii) Preferred hospital;**
  - c. The name of each person who is designated in writing to pick-up the child;**
  - d. The child's general health status and medical history including, if applicable:**
    - (i) Allergies;**
    - (ii) Restriction on the child's participation in activities with specific instructions from the child's parent or health professional; and**
    - (iii) Permission from the parent for third-party professional services in the child-care center;**
  - e. The name and phone number of each person to be contacted in an emergency involving or impacting the child;**
  - f. Authorization by the parent for the child-care center to seek emergency medical care for the child in the parent's absence;**

**Findings:**

General: Based on review of documentation, ten (10) children enrolled on 9/2/20, 6/4/18, 9/1/20, two (2) children on 2/1/21, two (2) children on 8/6/18, and three (3) children on 9/6/17, each did not have a person who was designated, in writing, to pick-up the child and information for staff to contact the child's preferred hospital. Also, a child enrolled on 6/4/18, did not have information on file for staff to contact the child's physician.

**Written Documentation**

**Not In Compliance**

**1150 - Evacuation Plan**

**Not In Compliance**

**922 KAR 2:090. Section 5. Evacuation Plan.**

**(1) A licensed child-care center shall have a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care in accordance with KRS 199.895 and 42 U.S.C. 9858c(c)(2)(U).**

**Findings:**

General: Based on review of documentation, the center's evacuation plan was last dated 12/31/12, which was not in accordance with KRS 199.895.

**1155 - Policies and Procedures**

**Not In Compliance**

**922 KAR 2:090. Section 8. General.**

**(4) Program policies and procedures shall:**

**(a) Be in writing; and**

**(b) Include:**

- 1. Staff policies;**
- 2. Job descriptions;**
- 3. An organization chart;**
- 4. Chain of command; and**

**5. Other procedures necessary to ensure implementation of:**

- a. KRS 199.898, Rights for children in child-care programs and their parents, custodians, or guardians - posting and distribution requirements;**
- b. 922 KAR 2:120, Child-care center health and safety standards;**
- c. 922 KAR 2:280, Background checks for child care staff members, reporting requirements, and appeals; and**
- d. This administrative regulation.**

**Findings:**

General: Based on review of documentation, the center's program policies and procedures were not available for review.

**1160 - Daily Attendance Records**

**Not In Compliance**

**922 KAR 2:090. Section 9. Records.**

**(1) A child-care center shall maintain:**

**(c) Daily attendance records documenting the arrival and departure time of each child, including records that are required in accordance with 922 KAR 2:160, Section 13, if a child receives services from the child-care center through the Child Care Assistance Program;**

**Findings:**

General: Based on interview, there was no documented arrival and departure times for the children. The staff person in charge did not have access to the Brightwheel application to provide documentation of the children's arrival and departure times.

**1170 - Professional Development**

**Not In Compliance**

**922 KAR 2:090. Section 9. Records.**

**(1) A child-care center shall maintain:**

**(f) A written annual plan for child-care staff professional development;**

**Findings:**

General: Based on review of documentation, a caregiver hired on 7/13/20, did not have an annual professional development plan on file.

**1195 - Fire Drills**

**Not In Compliance**

**922 KAR 2:120. Section 3. General Requirements.**

**(12) A fire drill shall be:**

- (a) Conducted during hours of operation at least monthly; and**
- (b) Documented.**

**(13) An earthquake drill and a tornado drill shall be:**

- (a) Conducted during hours of operation at least quarterly; and**
- (b) Documented.**

**Findings:**

General: Based on review of documentation, the center did not practice a monthly fire drill in July through December 2020. The center did not practice a quarterly earthquake drill and tornado drill during the third and fourth quarters of 2020.

**Posted Documentation**

**Not In Compliance**

**1200 - Posting Requirements**

**Not In Compliance**

**922 KAR 2:090. Section 8. General.**

**(6) In addition to the posting requirement of KRS 199.898(3), a child-care center shall post the following in a conspicuous place and make available for public inspection:**

- (a) The provider's preliminary or regular license;**
- (b) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;**
- (c) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;**
- (d) Information on the Kentucky Consumer Product Safety Program and the program's Web site as specified in KRS 199.897;**
- (e) A description of services provided by the child-care center, including:**
  - 1. Current rates for child care; and**
  - 2. Each service charged separately and in addition to the basic rate for child care;**
- (f) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and**
- (g) Daily planned program.**

**Findings:**

General: Based on observation, the statement of deficiencies and plan of correction for the current licensure year, the current rates for child care, and information on the Kentucky Consumer Product Safety Program were not posted.

**Animals**

**Not Applicable**

1260 - Emergency Regulation

Not In Compliance

**922 KAR 2:410E. Emergency Regulation.**

**Due to the current declared public health emergency caused by the Novel Coronavirus Disease (COVID-19), licensed child care centers must operate under Centers for Disease Control and Prevention and public health guidelines, as mandated by 922 KAR 2:410E, to prevent the spread of COVID-19.**

**Findings:**

General: Based on observation and review of documentation, the center failed to assure:

- 1.) Machine washable toys shall not be used, in accordance with 922 KAR 2:410E Section 6. Two (2) stuffed dolls and a stuffed Elmo were in room #5. Six (6) stuffed dolls were in room #2.
- 2.) All child care staff, directors, owners and operators complete a new, mandatory training on cleaning, sanitizing, health procedures, and mandatory reporting prior to the date of reopening, in accordance with 922 KAR 2:410E Section 9. Three (3) caregivers hired on 1/27/20, 3/13/17, and 1/6/19, did not complete the mandatory training.
- 3.) Children and adults shall be screened for fever and contagious symptoms upon entry into the child care center each day and shall not be allowed to enter if displaying a contagious fever or symptom of COVID-19, in accordance with 922 KAR 2:410E Section 7. Children and staff were last screened for fever and contagious symptoms on 7/20/20.

Signature of Provider/Representative

Title

Date